



1-15372

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October 18, 2006

Roberta A. Winzeler

Roberta A. Winzeler
(Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------------------|---|-----------------------------|
| In re Application of: |) | |
| Douglas E. Ott, et al. |) | |
| |) | Group Art Unit 3763 |
| Serial No. 09/314,052 |) | Examiner: Mendez, Manual A. |
| |) | |
| Filed: May 18, 1999 |) | Attorney Docket 1-15372 |
| |) | |
| For: METHOD AND APPARATUS |) | |
| FOR CONDITIONING GAS FOR |) | |
| MEDICAL PROCEDURES |) | |

October 18, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT RE-SUBMITTING TERMINAL DISCLAIMER
AT REQUEST OF THE EXAMINER

Honorable Sir:

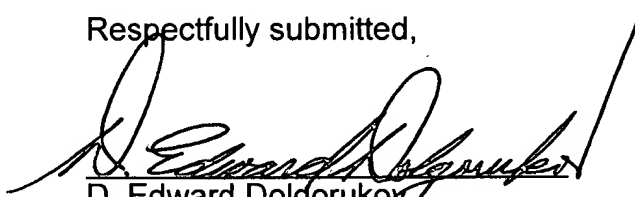
In an Office Action dated May 4, 2006, all the pending claims (82-86) were rejected on the grounds of non-statutory, obviousness-type, double patenting over claims 1-42 of U.S. Patent No. 6,068,609.

In the amendment dated May 17, 2006, in response to the Office Action of May 4, 2006, a terminal disclaimer was filed to overcome the non-statutory, obviousness-type, double patenting rejection over claims 1-42 of U.S. Patent No. 6,068,609.

In an Office Action dated October 12, 2006, the Examiner in charge of the present application, Mr. Manuel Mendez, has requested the re-submission of the terminal disclaimer because "For some reason the new Edan System has not approved this document".

The undersigned Attorney of Record is pleased to re-submit the original of the terminal disclaimer, which was sent by facsimile with the amendment of May 17, 2006, to comply with the Examiner's request. Since the terminal disclaimer fee was paid with the submission of May 17, 2006, no additional fee is believed due.

Respectfully submitted,



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